

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PETER RODRIGUEZ,

Plaintiff,

-against-

CITY OF NEW YORK, E.S.U. CAPTAIN  
MOISE #1451, CAPTAIN GIBSON, E.S.U.  
OFFICER WILLIAMS #1475, E.S.U. OFFICER  
GALVEZVSKIY #8957, CORRECTION  
OFFICER FERRERO #1805,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 3/30/2021

20-CV-9840 (GHW)

ORDER

GREGORY H. WOODS, United States District Judge:

On March 25, 2021, Mr. Rodriguez contacted the Court and reported that one of the defendants in this action had been threatening him. Dkt. No. 50. As stated on the record during the March 30, 2021 conference regarding that incident, it is hereby ORDERED that defendant City of New York collect and retain any records for the incident described in Mr. Rodriguez's voicemail, including any videotape showing the areas around Mr. Rodriguez's cell during the time and date identified in his voicemail. Defendant City of New York is further directed to collect and preserve the logbooks for that date. If the records are spoliated for any reason, the Court will take appropriate action. Furthermore, the Court notes that defendant City of New York is on notice of Mr. Rodriguez's allegations of harassment and threats by one of its officers, and fully aware of the serious nature of the potential consequences related to those allegations if true. Defendant City of New York is further directed to request and mail a transcript of the March 30, 2021 conference to Mr. Rodriguez within 30 days of this order.

On January 21, 2021, the Court ordered defendant City of New York to mail a transcript of the January 21, 2021 conference to Mr. Rodriguez within 30 days of that order. Mr. Rodriguez has

not received that transcript. Defendant City of New York is directed to comply with that order forthwith.


For the reasons stated on the record during the March 30, 2021 conference, Mr. Rodriguez's request for a temporary restraining order is denied without prejudice.

The Clerk of Court is directed to mail a copy of this order to Plaintiff.

SO ORDERED.

Dated: March 30, 2021  
New York, New York

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GREGORY H. WOODS  
United States District Judge